

and two-thirds of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of Ralph R. Ogden for the year 1937 on one-half acre, Lot 18, Outlot 8, Division "2", Enfield B, in the City of Austin, Travis County, Texas, and on personal property including automobiles, furniture and fixtures; said taxes being for the sum of \$226.49, and for non-payment of said taxes at maturity, penalty in the sum of \$11.32 has been assessed, and interest in the sum of \$6.90, making the total amount of taxes, penalty and interest \$244.71; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$11.32; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$11.32 is hereby remitted, and the Tex Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$11.32 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was recessed at 11:00 A. M., subject to call of the Mayor.

Approved,

*Tom Miller*  
Mayor

Attest:

*Helen McKellar*  
City Clerk

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 27, 1939.

The City Council convened in regular session, at the regular meeting place in the City Hall, on Thursday, April 27, 1939, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

A group of citizens, represented by Mrs. W. S. Fussell, President of the Bailey Park Mothers' Club, et al., presented a petition asking for flood lights for the tennis courts and softball field in Bailey Park. The matter was referred to the City Manager and the Superintendent of the Electric Division for an estimate of the cost of same.

William H. Bright, Agent for the owners of the property situated at the corner of West 24th and Leon Streets, more particularly described as Lots 15 and 16, Block 48, Robor Addition, appeared before the Council and asked that a public hearing on his client's application to have the zoning of said property changed from "A" Residence District to "B" Residence District be called. Action on the matter was deferred pending a report from the Board of Adjustment on an application for a change in zoning of this property to "C" Commercial District.

In accordance with public notice thereof, the following sealed proposals for the purchase of the old Tenth Ward Fire Station, located at 1111 East First Street, were received, opened, read, and taken under advisement:

H. E. Butt Grocery Company, by Dan Moody, Attorney	-----\$10,020.00
M. K. Hage	----- 5,275.65

In accordance with public notice thereof, the following sealed proposals for the purchase of the Old Brackenridge Hospital Nurses' Home, situated at 1606 Red River Street, were received, opened, read, and taken under advisement:

K. R. Meyer	----- \$ 3,250.00
Noel K. Brown	----- 1,401.00
Gus Borner	----- 2,752.00
Ted Wendlandt	----- 3,625.00
A. P. Roberts	----- 2,675.00

Councilman Wolf introduced the following resolution:

WHEREAS, by deed dated June 23, 1938, recorded in Book 587, page 567, of the Deed Records of Travis County, Texas, the City of Austin did grant and convey to W. B. Backus of Travis County, Texas, Lot 7 in the Shoal Creek Boulevard Lots Addition to the City of Austin, Travis County, Texas; and

WHEREAS, on July 14, 1938, the City of Austin by resolution recorded in Minute Book 17, page 83, of the Minutes of the City Clerk of the City of Austin, Texas, granted to the Water, Light and Power Department of said City an easement across the southeast three feet of said Lot 7 described above; and

WHEREAS, it has become apparent that the said recorded grant of easement does not constitute a valid easement; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is hereby authorized and directed, in the name of the City of Austin, to release and quitclaim unto the said W. B. Backus, his heirs and assigns, all the right, title, interest, claim and demand in and to the said easement described above, to which reference is here made for all pertinent purposes.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; Nays, none.

Councilman Bartholomew introduced the following resolution:

WHEREAS, the City of Austin on April 13, 1939, adopted a resolution authorizing the City Manager to execute a lease for a certain portion of the administration building at the Robert Mueller Municipal Airport, and it is now found that the information contained therein is not sufficiently definite and that it will be necessary to rescind said resolution and substitute the following:

WHEREAS, the City of Austin has previously leased a part of the Administration Building at the Robert Mueller Airport to the United States Government; and

WHEREAS, this lease expires on June 30, 1939, and the United States Government wishes to execute a new lease for one year, beginning July 1, 1939, and ending

June 30, 1940, with the option to renew said lease from year to year until June 30, 1950, by giving the City of Austin thirty days notice of such intention; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is hereby authorized to execute said lease for the City of Austin for that portion of the building to be used for offices of representatives of the United States Government operating remote control equipment as a service to aviation at the Airport.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution finally adopted:

The resolution is as follows:

WHEREAS, Gulton Morgan, City Manager, in general charge of Public Works Administration projects, and G. S. Moore, in direct charge of Docket Number Texas-1847-1-P-F, being the project for the construction of electric power plant and system improvements, have reported that the contract for the construction of General Roofing at the City Power Plant has been completed by Little-Goslin, General Contractors, in accordance with the approved plans and specifications and in compliance with the rules and regulations of the Administration of Public Works, and in an acceptable manner to the P. W. A. Inspector, and have recommended to the City Council the acceptance of the contract and the payment of the final estimate due thereon; and .

WHEREAS, the City Council has inspected said contract and the works thereunder, and is of the opinion that same should be finally accepted; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said contract and the works thereunder is hereby accepted as completed, and the City Manager be and is hereby authorized and directed to approve the final estimates and to issue warrants in payment thereof, and that he be further authorized and directed to release the contractors from any further liability in connection with said work, and to authorize the cancellation of the bonds guaranteeing their successful completion of the contract.

(Report of Engineer attached)

Austin, Texas,  
April 26, 1939  
Docket Texas-1847-1-P-F-3  
General Roofing  
Austin, Texas

Mr. Gulton Morgan  
City Manager  
Austin, Texas

Dear Mr. Morgan:

A final inspection by our inspector, Mr. Frank Posey, Mr. J. V. Curnutte, P.W.A. Inspector, and the undersigned, has been made on the General Roofing contract at the City Power Plant. This contract is held by Little-Goslin, General Contractors.

The inspection showed that all of the work covered by the contract has been completed in accordance with the plans and specifications and change orders. I recommend that the work be accepted in full at this time and that a final estimate be paid the contractor.

There have been no non-compliances on this contract.

Yours truly,

G. S. Moore, Supervising Engineer.

Councilman Alford introduced the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in MIDWAY STREET from East 11th Street southerly two blocks, the centerline of which pole line shall be 5 feet east of and parallel to the west line of said Midway Street.

(2) A telephone pole line in COURTNEY STREET from Midway Street to Niles Street, the centerline of which pole line shall be 6 feet north of and parallel to the south line of said Courtney Street.

(3) A telephone pole line in NILES STREET from East 11th Street southerly two blocks, the centerline of which pole line shall be 6 feet east of and parallel to the west line of said Niles Street, as shown upon the map or plat of the proposed construction of the pole line in this street as submitted with letter of application dated April 21, 1939.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Engineer and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford introduced the following resolution:

WHEREAS, Miss May Robinson, acting by and through Jack McKay, owner of land out of the southeast portion of Outlot 5, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the south side of East 6th Street at a location west of Chalmers Avenue and being locally known as 1643-1645 East Sixth Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the south sidewalk area of East 6th Street at the above described location, as shown upon the plan hereto attached marked 2-H-643, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Miss May Robinson, acting by and through Jack McKay, owner of land out of the southeast portion of Outlot 5, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the south side of East Sixth Street at a location west of Chalmers Avenue and being locally known as 1643-1645 East Sixth Street, is hereby permitted to construct a commercial driveway across the south sidewalk area of East Sixth Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-H-643, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the

City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Joe Dacy, representing the Optimist Club, appeared before the Council and asked that a proclamation be issued proclaiming the week of April 30-May 5 as "Child Welfare Week", with special emphasis on "Child Welfare Day", May 3.

Councilman Bartholomew moved that the Mayor be authorized to issue such proclamation. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED THAT CERTAIN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED, 'AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES; THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRIES, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS; AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY," REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL JULY 29, 1937, AND IS RECORDED IN BOOK "K", PAGES 239, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that sealed proposals for the purchase of \$375,000.00 City of Austin School Bonds would now be opened, the time for the opening of said bids having been postponed to 11:30 o'clock at the request of the bond buyers present, who wished to submit alternate bids on split rate interest.

Sealed proposals of the following bond firms were then opened, read, and referred to the City Manager and the Finance Director for tabulation:

Blyth & Company, Inc., Boettcher & Company, Inc.,  
Miller, Moore & Brown, Inc. by Frank Miller.

Lazard, Freres & Co., Chicago,  
Mahan, Dittmar & Co., San Antonio,  
by Elmer ... Dittmar

A. K. Dunbar & Co., Austin  
 Union Securities Corporation, New York  
 Equitable Securities Corp., New York

Phillips, Penn. & Co.; Fenner & Beane,  
 Dillingham & McClung; Duquette & Co.,  
 by S. L. Austin

Mercantile Commerce Bank & Trust Co.,  
 St. Louis; Wells, Dickey & Co.,  
 Minneapolis; A. W. Snyder & Company,  
 Houston - By Fred P. Hamill

Aves & Wymer, Inc., C.F. Childs & Co.,  
 Paine, Webber & Co.

Boatmens National Bank, St. Louis  
 Braun, Bosworth & Co., Toledo  
 Dallas Union Trust Co.  
 Dallas National Bank -by V.P. Patterson

Smith, Barney & Co., New York  
 Geo. V. Rotan & Co., Houston  
 By Edward Rotan

Shields & Co., New York  
 J. N. Hynson Co., Inc., New York

First Boston Corporation, Chicago  
 Walker, Austin & Waggener, Dallas  
 By Nelson Waggener

Goldman, Sachs & Co.  
 Gregory, Eddleman & Abererombie  
 By R. M. Eddleman

Harriman Ripley & Co., Inc.  
 City Nat'l Bank & Trust Co., Kansas City, Mo.  
 Stern Bros. & Co.  
 Milton R. Underwood & Co.  
 By R. DeWitt Tucker

Moroney & Co.  
 Stranahan, Harris & Co.  
 Mississippi Valley Trust Co.  
 By Moroney & Co.

Northern Trust Company, Chicago  
 James, Syayart & Davis, Inc., Dallas  
 By J. S. James, Jr.

Halsey, Stuart & Co., Chicago  
 The Fort Worth National Bank  
 By W. B. Little

Cravens & McCullough, Austin  
 Capital National Bank, Austin  
 Barcus, Kindred & Co., Austin  
 By E. P. Cravens

E. V. Christie & Co.  
 By Walter Todd

Eldredge & Company, Inc., New York  
 Russ, Roe & Co., San Antonio  
 Donald D. James, Inc., Austin  
 By Donald D. James

Councilman Wolf introduced the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is authorized to purchase from E. W. Wapperman, for the consideration of One Thousand Seven Hundred and Sixty Dollars (\$1,760), to be used by the City of Austin for street purposes, the following described land, to-wit:

Lots 10 and 11, in Block 4, Glenridge Addition to the City of Austin, Travis County, Texas, together with all improvements situated thereon, same being the same premises conveyed to said E. W. Wapperman by James W. Palmquist and wife, Marguerite E. Palmquist, by deed dated April 1, 1939, and recorded in Book 611, pages 38-39, of the Deed Records of Travis County, Texas; and the said sum of One Thousand Seven Hundred and Sixty Dollars (\$1,760) to be appropriated out of the General Fund for the purpose of paying for said tract of land.

The resolution was adopted by the following vote: Ayes, Councilmen Alford,

Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of E. R. York for the years 1935, 1936, and 1937, on the south 50.23 feet of Lots 18 and 20, in Block 3, Outlot 73/74, Division "D", Aldridge Place, in the City of Austin, Travis County, Texas; said taxes being for the sum of \$178.16, and for non-payment of same at maturity penalty in the sum of \$8.90 has been assessed, and interest in the sum of \$22.18, making the total amount of taxes, penalty and interest \$209.24; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$8.90, and one-half of the interest in the sum of \$11.09; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$8.90, and one-half of the interest in the sum of \$11.09, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$8.90, and one-half of the interest in the sum of \$11.09, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of Annie and James Hutchinson for the years 1933 through 1937 on all of Lot 5 and the east 39 feet of Lot 6, in Block 12, Outlot 36, Division "B", in the City of Austin, Travis County, Texas; said taxes being for the sum of \$250.19, and for non-payment of same at maturity penalty in the sum of \$12.50 has been assessed, and interest in the sum of \$46.34, making the total amount of taxes, penalty and interest \$309.03; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$12.50, and one-half of the interest in the sum of \$23.17; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$12.50, and one-half of the interest in the sum of \$23.17, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$12.50, and one-half of the interest in the sum of \$23.17, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of Henry A. Scroggins for the year 1937 on the West 37½ feet by 145 feet of Block 13, Outlot 57, Division "B", in the City of Austin, Travis County, Texas; said taxes being for the sum of \$14.84, and for non-payment of same at maturity, penalty in the sum of \$.74 has been assessed, and interest in the sum of \$.96, making the total amount of taxes, penalty and interest \$16.54; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to

remit said penalty in the sum of \$.74, and one-half of the interest in the sum of \$.48; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$.74, and one-half of the interest in the sum of \$.48, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$.74 and one-half of the interest in the sum of \$.48, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of W. M. Duval for the years 1934 through 1937 on Lot 4, Block 5, Outlot 31, Division "B", of the Henry Ulit Subdivision, in the City of Austin, Travis County, Texas; said taxes being for the sum of \$44.36, and for non-payment of said taxes at maturity, penalty in the sum of \$2.21 has been assessed, and interest in the sum of \$6.66, making the total amount of taxes, penalty and interest \$53.23; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$2.21, and one-half of the interest in the sum of \$3.33; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$2.21, and one-half of the interest in the sum of \$3.33, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$2.21, and one-half the interest in the sum of \$3.33, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of Elias Sellers for the years 1934-1937, inclusive, on Lot 5, Block 2, Martin's Subdivision, in the City of Austin, Travis County, Texas; and said taxes being for the sum of \$90.48, and for non-payment at maturity, penalty in the sum of \$4.52 has been assessed, and interest in the sum of \$13.96, making the total amount of taxes, penalty and interest \$108.96; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.52, and one-half of the interest in the sum of \$6.98; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$4.52, and one-half of the interest in the sum of \$6.98, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$4.52, and one-half of the interest in the sum of \$6.98, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and



one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of Joseph Gordon, Jr., for the years 1934, 1935, and 1937, on the west 56 feet of Lot 3, Block 15, 16, Outlot 57, in Division "B", of Patterson Subdivision, in the City of Austin, Travis County, Texas; and said taxes being for the sum of \$109.20, for non-payment of same at maturity penalty in the sum of \$5.47 being assessed, and interest in the sum of \$8.69, making the total amount of taxes, penalty and interest \$123.36; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$5.47, and one-half of the interest in the sum of \$4.34; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$5.47, and one-half of the interest in the sum of \$4.34, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$5.47, and one-half of the interest in the sum of \$4.34, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of A. W. Gribble for the years 1934 and 1937 on Lots 1 and 2, in Block 5, Sunset Heights Addition to the City of Austin, Travis County, Texas; said taxes being for the sum of \$66.99, and for non-payment at maturity, penalty in the sum of \$3.34 has been assessed, and interest in the sum of \$10.32, making the total amount of taxes, penalty and interest \$80.65; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$3.34, and one-half of the interest in the sum of \$5.16; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$3.34, and one-half of the interest in the sum of \$5.16, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$3.34, and one-half of the interest in the sum of \$5.16, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the City Council would meet at 10:00 o'clock A. M., Monday, May 1, for the inauguration of the newly elected City Council.

Upon motion, seconded and carried, the meeting was recessed to 4:00 P. M.

**AFTERNOON SESSION:**

The City Council reconvened at 4:00 P. M., Thursday, April 27, 1939, with the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, NONE.

Mayor Miller introduced the following ordinance:

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF THREE HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (\$375,000.00), FOR THE PURPOSE OF THE CONSTRUCTION AND IMPROVEMENT OF THE PUBLIC FREE SCHOOL BUILDINGS IN THE CITY OF AUSTIN, AND THE PURCHASE OF GROUNDS AND EQUIPMENT THEREFOR, AND PROVIDING FOR THE PAYMENT OF SAID BONDS; AND REPEALING AN ORDINANCE HERETOFORE PASSED ON APRIL 13, 1939, AUTHORIZING THE ISSUANCE OF BONDS.**

The ordinance was read the first time and Councilman Alford moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Gillis. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Alford. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Alford moved that the ordinance be finally passed. The motion was seconded by Councilman Gillis. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the ordinance finally passed.

Councilman Gillis introduced the hereinafter set out resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion carrying with it the adoption of the resolution prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, Blyth & Co., Inc., Boettcher & Co., and Miller, Moore & Brown, Inc., have this day submitted to the City Council the following proposal:

"HONORABLE MAYOR AND CITY COUNCIL  
OF THE CITY OF AUSTIN  
AUSTIN, TEXAS.

Gentlemen:

For Three Hundred Seventy-five Thousand Dollars (\$375,000.00) legally issued, City of Austin, Texas, School 20-Year Serial Coupon Bonds, dated June 1, 1939, of the denomination of One Thousand Dollars (\$1,000.00) each, interest payable semi-annually on the first day of January and July, the first interest coupon becoming due January 1st, 1940, and maturing serially in accordance with the schedule appended hereto, we will pay the following price:

For bonds bearing an interest rate as shown by the accompanying schedule, par and accrued interest from date of bonds to date of delivery at Austin, Texas, plus a cash premium of \$750.

We agree to purchase the bonds upon the approving opinion of Thomson, Wood & Hoffman, New York, or Chapman-Cutler, Chicago, the cost of such opinion to be borne by the City of Austin, together with the cost of printing the bonds.

We agree that delivery of the bonds will be made to us at Austin, Texas, June 15th, 1939.

As evidence of our good faith, we are attaching hereto Cashier's or certified check in the sum of Seven Thousand Five Hundred Dollars (\$7,500.00), said check to be held uncashed pending the delivery of the bonds to us in accordance with this bid.

Should we fail to comply with the terms of this bid within fifteen (15) days from the date of delivery of approving opinion to us by Messrs. Thomson, Wood & Hoffman or Chapman-Cutler, the above mentioned check may be cashed and the proceeds

thereof used as full and complete liquidated damages by the City of Austin.

BLYTH & CO., INC.  
 BOETTCHER & CO.  
 MILLER, MOORE & BROWN, INC.  
 By Frank Miller  
 Representing above Syndicate."

SCHEDULE OF MATURITIES  
 \$375,000.00 20-YEAR SERIAL SCHOOL  
 BONDS

Maturity		Bond Numbers	Amount
July 1, 1940		1 to 15, both inclusive	\$ 15,000.00
July 1, 1941		16 to 30, both inclusive	15,000.00
July 1, 1942		31 to 45, both inclusive	15,000.00
July 1, 1943		46 to 61, both inclusive	16,000.00
July 1, 1944		62 to 77, both inclusive	16,000.00
July 1, 1945	2-1/4%	78 to 94, both inclusive	17,000.00
July 1, 1946		95 to 111, both inclusive	17,000.00
July 1, 1947		112 to 128, both inclusive	17,000.00
July 1, 1948		129 to 146, both inclusive	18,000.00
July 1, 1949		147 to 164, both inclusive	18,000.00
July 1, 1950		165 to 183, both inclusive	19,000.00
July 1, 1951		184 to 202, both inclusive	19,000.00
July 1, 1952		203 to 222, both inclusive	20,000.00
July 1, 1953		223 to 242, both inclusive	20,000.00
July 1, 1954		243 to 263, both inclusive	21,000.00
July 1, 1955	2%	264 to 284, both inclusive	21,000.00
July 1, 1956		285 to 306, both inclusive	22,000.00
July 1, 1957		307 to 328, both inclusive	22,000.00
July 1, 1958		329 to 351, both inclusive	23,000.00
July 1, 1959		352 to 375, both inclusive	24,000.00
			<u>\$375,000.00</u>

and

WHEREAS, the said bid and proposal of Blyth & Co., Inc., Boettcher & Co., and  
 Miller, Moore & Brown, Inc. to purchase \$375,000.00 City of Austin School Bonds,  
 dated June 1, 1939, at the price and upon the terms in said proposal, be and the same  
 is hereby accepted, and said Blyth & Co., Inc., Boettcher & Co., and Miller, Moore &  
 Brown, Inc., be awarded the sale of said bonds; and

BE IT FURTHER RESOLVED:

THAT the City Manager be authorized and directed to sell to said Blyth & Co., Inc.,  
 Boettcher & Co., and Miller, Moore & Brown, Inc., the said Austin School Bonds, being  
 hereinbefore fully described, at par and accrued interest, together with a premium  
 of \$750.00, according to the terms of said bid hereinbefore set out.

The City Manager announced the appointment of H. W. Morelock as an assistant  
 city attorney to assist in the prosecution of cases in the Corporation Court.

Upon motion, seconded and carried, the meeting was recessed at 5:00 P. M.,  
 subject to call of the Mayor.

Approved Tom Miller.  
 Mayor

Attest:  
Kathleen McKeen  
 City Clerk